

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

No. 3

GOVERNMENT OF GOA

Department of Law and Judiciary

Legal Affairs Division

Notification

7/22/2000/LA

The Goa, Daman and Diu Administration of Evacuee Property (Amendment) Act, 2000 (Goa Act 42 of 2001), which has been passed by the Legislative Assembly of Goa, on 21-7-2000 and assented to by the Governor of Goa on 21-5-2001 is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 4th June, 2001.

The Goa, Daman and Diu Administration of Evacuee Property (Amendment) Act, 2000

(Goa Act 42 of 2001) [21-5-2001]

AN

ACT

further to amend the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 (Act No. 6 of 1964).

BE it enacted by the Legislative Assembly of Goa in the Fifty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa, Daman and Diu

Administration of Evacuee Property (Amendment) Act, 2000.

(2) It shall be deemed to have come into force from the 31st day of March, 1995.

2. *Amendment of section 2.*— In section 2 of the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 (Act No. 6 of 1964) (hereinafter referred to as the principal Act),—

(i) in clause (kkkk),—

for the words “but does not include a person who holds land on lease” the words “but does not include a successful bidder” shall be substituted; and

(ii) in clause (l),—

after the word “custodian”, the words “but does not include a mundkar or tenant or deemed purchaser” shall be inserted.

3. *Amendment of section 3.*— In section 3 of the principal Act,—

(i) the existing section may be re-numbered as sub-section (1);

(ii) after the sub-section (1) as re-numbered in sub-clause (i) above, the following shall be inserted:

“(2) Notwithstanding anything to the contrary contained in any Act, custom or usage, contract, order or decree of any Tribunal or Court or of the Custodian under the principal Act or any other authority,—

(i) every person who is in occupation, as on the 30th day of June 2000, of any

dwelling house situated on the evacuee property vested in the Custodian under the principal Act,—

(a) shall be deemed to be a mundkar of his dwelling house;

(b) shall be entitled for certificates of purchase in respect of the dwelling house on payment of the price determined in accordance with the provisions of the Goa, Daman and Diu Mundkars (Protection of Rights) Act, 1975 (Act No. 1 of 1976); and

(c) shall also be deemed as purchaser for the purposes of this Act; and

(ii) every person evicted from his dwelling house situated on the evacuee property vested in the Custodian under the principal Act on and from the date of coming into force of this Act and upto the 30th day of June 2000, shall be entitled to restoration of his dwelling house if he makes an application to the Mamlatdar within one year from the date of coming into force of this Act:

Provided that the Mamlatdar shall dispose of the application so filed within 3 months of such filing."

4. *Amendment of section 7.*— In section 7 of the principal Act after sub-section (2), the following shall be inserted:

"(3) No such force as is referred to in sub-section (2) shall be used against any person who, as on the 30th day of June 2000, is in occupation of a dwelling house situated on evacuee property vested in the Custodian under the principal Act."

Secretariat Annexe, V. P. SHETYE,
Panaji. Secretary to the Government
of Goa

Dated: 4-6-2001. Law Department (Legal Affairs).

Notification

7/23/2000/LA

Th Goa, Daman and Diu Mundkars (Protection from Eviction) (Amendment) Act, 2000 (Goa Act 41 of 2001), which has been passed by the Legislative Assembly of Goa, on 21-7-2000 and assented to by the Governor of Goa on 21-5-2001 is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).
Panaji, 4th June, 2001.

The Goa, Daman and Diu Mundkars (Protection from Eviction) (Amendment) Act, 2000

(Goa Act 41 of 2001) [21-5-2001]

AN

ACT

further to amend the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976).

BE it enacted by the Legislative Assembly of Goa in the Fifty-first Year of the Republic of India, as follows:—

1. *Short title and commencement.*— This Act may be called the Goa, Daman and Diu Mundkars (Protection from Eviction) (Amendment) Act, 2000.

2. *Amendment of section 39.*— In section 39 of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act 1 of 1976), the following shall be added at the end:

"*Explanation.*— The expression "the land owned or held by the Government" does not include the land vested in the custodian under the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 (Act No. 6 of 1964)."

Secretariat Annexe, V. P. SHETYE,
Panaji. Secretary to the Government
of Goa

Dated: 4-6-2001. Law Department (Legal Affairs).

Notification

7/37/2001/LA

The Goa Panchayat Raj (Amendment) Act, 2001 (Goa Act 43 of 2001), which has been passed by the Legislative Assembly of Goa, on 29-3-2001 and assented to by the Governor of Goa on 21-5-2001, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 4th June, 2001.

The Goa Panchayat Raj (Amendment)
Act, 2001

(Goa Act 43 of 2001) [21-5-2001]

AN

ACT

further to amend the Goa Panchayat Raj Act,
1994.

BE it enacted by the Legislative Assembly of
the State of Goa in the Fifty-second Year of the
Republic of India, as follows:—

1. *Short title and commencement.*— (1) This
Act may be called the Goa Panchayat Raj
(Amendment) Act, 2001.

(2) It shall come into force at once.

2. *Amendment of section 153.*— In section 153
of the Goa Panchayat Raj Act, 1994 (Goa Act 14
of 1994) (hereinafter referred to as the "principal
Act"),—

(i) for sub-section (1), the following shall be
substituted, namely:—

"(1) Every Panchayat shall, in such
manner and subject to such exemptions as
may be prescribed and not exceeding the
maximum rate specified in Schedule - III,
levy tax upon buildings and lands which are
not subject to agricultural assessment,
within the limits of the Panchayat area and
shall revise rate of such tax once in every
three years by minimum increase of 10%
thereon:

Provided that where an owner of the building
or land has left the Panchayat area or cannot
otherwise be found, the occupier of such
building or land shall be liable for the tax
leviable on such owner."

(ii) in sub-section (3),—

(i) for the words "may by bye-law", the
word "shall" shall be substituted;

(ii) for clause (m), the following shall be
substituted, namely:—

"(m) garbage disposal tax;"

(iii) after clause (m), the following clause
shall be inserted, namely:—

"(n) Octroi, other than on petroleum
products."

3. *Amendment of section 160.*— In section 160
of the principal Act, in sub-section (1), the
following proviso shall be inserted, namely:—

"Provided that no grants shall be made to a
Panchayat which fails to cause its accounts to
be so audited for more than three consecutive
years."

4. *Insertion of new section.*— After section
244-A of the principal Act, the following new
section shall be inserted, namely:—

"244. B - *Power of Government to allow to
carry out any developmental works in any
Panchayat area.*— Notwithstanding anything
contained in this Act, the Government, in the
public interest, may issue directions to the
Panchayats to carry out any developmental
works, or such other functions as the
Government deems fit, including to permit
construction of a structure/building in the
following cases:—

(i) Promotion of information technology;

(ii) Promotion of co-operative movement;

(iii) Self-employment schemes for all
categories.

Secretariat Annexe,
Panaji.

V. P. SHETYE,
Secretary to the Government
of Goa

Dated: 4-6-2001. Law Department (Legal Affairs).

Notification

7/38/2001/LA

The Goa Prohibition of Smoking and Spitting
(Amendment) Act, 2001 (Goa Act 44 of 2001),
which has been passed by the Legislative Assembly
of Goa, on 27-3-2001 and assented to by the
Governor of Goa on 29-5-2001, is hereby published
for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 4th June, 2001.

The Goa Prohibition of Smoking and
Spitting (Amendment) Act, 2001

(Goa Act 44 of 2001) [29-5-2001]

AN

ACT

*to amend the Goa Prohibition of Smoking and
Spitting Act, 1997.*

BE it enacted by the Legislative Assembly of
the State of Goa in the Fifty-second Year of the
Republic of India as follows:—

1. *Short title and commencement.*— (1) This
Act may be called the Goa Prohibition of Smok-
ing and Spitting (Amendment) Act, 2001.

(2) It shall come into force at once.

2. *Amendment of section 9.*— In section 9 of
the Goa Prohibition of Smoking and Spitting Act,
1997 (Goa Act No. 5 of 1999), the following
proviso shall be added.

“Provided that the Government may, by no-
tification in the Official Gazette, specify the
tobacco products and wards/localities within
the limits of municipal councils, for which, the
aforesaid prohibition shall not apply.”.

Secretariat Annexe,
Panaji.

V. P. SHETYE,
Secretary to the Government
of Goa

Dated: 4-6-2001. Law Department (Legal Affairs).